

Appl. No. 10/510,434
Amdt. dated April 13, 2006
Reply to Office action of October 26, 2005

REMARKS/ARGUMENTS

A. General:

1. Claims 1, 6, 10, 14, 16, and 21 have been amended. Claims 6, 10, and 21 have been amended by being rewritten in independent form to include all of the limitations of the base claim and any intervening claims and, therefore, per the Examiner, are now allowable along with claims 11 - 12 which depend from claim 10. Claims 1, 14, and 16 have been amended to recite that the air duct diverts the air flow collected from over the opened parcel and to include the dwell chamber for slowing the airflow from claims 3 - 4 which are canceled. Besides claims 3- 4 support is also found in the specification, paragraphs [0041] and [0046]. Claim 14 has also been amended to correct a typographical error..

2. Claims 3 and 4 have been canceled.

3. Claims 1, 2, and 5 - 21 remain in the application.

B. §103 Rejections:

1. The Examiner has rejected claims 1- 5, 7, 8, 13, 14, and 16 - 20 under 35 USC §103(a) as being unpatentable over Call et al. (US 2002/0124664 A1) in view of Stradley et al. (US 2003/0119175 A1).

Claims 3 and 4 have been canceled thereby obviating this rejection as to them.

In Fig. 1 and in paragraph [0041] of their specification, Applicants teach that the air duct diverts the air flow collected from over the open and compressed parcel toward, in one embodiment, a particulate sampler. As stated in paragraph [0041], the air duct not only reduces the potential that ejected particles will travel outside of the mail sorting apparatus but also prevents cross-contamination of other parcels that are subsequently processed by the mail sorter. Neither of the cited references discloses or suggests such an air duct as now recited in independent claims 1, 14, and 16. At most Call et al. discloses directing a jet of fluid toward the parcel, not using an air duct to divert air away from the parcel.

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Furthermore, neither of the references discloses or suggests a dwell chamber along the air duct for slowing the velocity of the air flow to allow contaminants to settle as now recited in independent claims 1, 14, and 16. The Examiner states that the length of the parcel screening area in Call et al. discloses Applicants' dwell chamber, but Call et al. is a far cry from a dwell chamber situated along an air duct used to divert air away from the parcel screening area.

For the reasons discussed above, Applicants submit that the combination of Call et al. and Stradley et al. cannot render obvious claims 1, 14, and 16 and, therefore, claims 2, 5, 7, 8, 13, and 17 - 20 which depend therefrom.

2. The Examiner has rejected claim 9 under 35 USC §103(a) as being unpatentable over Call et al. in view of Stradley et al. as applied to claims 1 - 5, 7, 8, 13, 14, and 16 - 20, and further in view of Belec et al. (US 2003/0115998 A1).

For the reasons stated above, in Applicants' response to the Examiner's §103 rejection of claims 1 - 5, 7, 8, 13, 14, and 16 - 20, Applicants submit that the combination of the cited references cannot render obvious claim 9 which depends from claim 1.

C. Conclusions:

The Examiner having allowed claim 15, Applicants respectfully request that a timely Notice of Allowance be issued in this case for claims 1, 2, and 5 - 21.

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